


FILED
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT 2009 MAR 27 A 10:14

DISTRICT OF UTAH, CENTRAL DIVISION DISTRICT OF UTAH

UNITED STATES OF AMERICA,)	BY 
)	DEPUTY CLERK
Plaintiff,)	Case No. 2:07CR00286 CW
)	DEPOSITION OF CORNELIUS
v.)	GALLAGHER
)	PROCEDURE
BARON LOMBARDO, et al.)	
Defendants.)	Magistrate Judge Samuel Alba
)	
)	

Having considered the motion for deposition pursuant to Fed. R. Crim. P. 15 filed by the United States [Doc. #229], and good cause appearing, it is hereby ORDERED:


- (1) The Government's motion for a Rule 15 deposition is GRANTED;
- (2) The deposition of Cornelius Gallagher shall be taken on the afternoon of May 6th, 2009, at the United States Attorney's Office for the Southern District of New York, a remote video deposition facility;
- (3) The defendants and defense counsel shall be present at the United States Attorney's Office in Salt Lake City, a remote video deposition facility;
- (4) The United States shall arrange for a teleconference set up that will allow the witness, the defendants and defense counsel to see and hear each other during the course of the deposition;

- (5) The Magistrate Judge, or a Special Master appointed by the Court, in compliance with Federal Rule of Civil Procedure 53, shall preside over the deposition from Salt Lake City, and rule on all objections and evidentiary matters. A court reporter will be present in Salt Lake City, to transcribe the testimony. A digital recording of the deposition will be made in Salt Lake City.
- (6) The United States shall provide defense counsel with a list of bates number references for documents that may be presented to the witness no later than April 29th, 2009.
- (7) The United States will provide defense counsel with a digital recording and a written transcript of the deposition as soon as they becomes available;
- (8) The United States shall prepare a suitably redacted recording of the deposition for presentation at trial.

IT IS SO ORDERED.

DATED this 26th day of March, 2009.

BY THE COURT:


SAMUEL ALBA
United States Magistrate Judge